

1 State of Arkansas
2 93rd General Assembly
3 Regular Session, 2021
4

As Engrossed: H4/12/21

A Bill

HOUSE BILL 1826

5 By: Representative J. Mayberry
6 By: Senator Irvin
7

For An Act To Be Entitled

9 AN ACT CONCERNING SCHOOL NURSES; TO REQUIRE PUBLIC
10 SCHOOLS TO PROVIDE HEALTH SERVICES PROGRAMS; TO
11 REQUIRE LICENSED REGISTERED NURSES EMPLOYED OR
12 CONTRACTED BY A PUBLIC SCHOOL TO PARTICIPATE IN
13 NURSING PROFESSIONAL DEVELOPMENT; TO REQUIRE THE
14 DIVISION OF ELEMENTARY AND SECONDARY EDUCATION TO
15 DEVELOP AND IMPLEMENT AN EDUCATION PROGRAM FOR SCHOOL
16 NURSES; TO REQUIRE PUBLIC SCHOOL DISTRICTS TO
17 PARTICIPATE IN A HEALTH SERVICES SURVEY; AND FOR
18 OTHER PURPOSES.

Subtitle

22 TO REQUIRE SCHOOL NURSES TO PARTICIPATE
23 IN NURSING PROFESSIONAL DEVELOPMENT; TO
24 REQUIRE THE DEVELOPMENT OF AN EDUCATION
25 PROGRAM FOR SCHOOL NURSES; AND TO REQUIRE
26 PUBLIC SCHOOLS TO PARTICIPATE IN A HEALTH
27 SERVICES SURVEY.

30 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

32 SECTION 1. Arkansas Code § 6-18-706 is amended to read as follows:
33 6-18-706. School nurse – Definition.

34 (a) Each public school district shall provide a health services
35 program under the direction of a licensed registered nurse in accordance with
36 the laws of the State of Arkansas and Division of Elementary and Secondary



1 Education rules.

2 ~~(a)~~(b) In order to improve the health status and educational
3 achievement of the children of this state, the General Assembly hereby
4 determines that an appropriate school nurse-to-student ratio is essential to
5 effectively meet the healthcare needs of these children.

6 ~~(b)~~(c)(1) For purposes of this section, "school nurse" means a
7 licensed nurse engaging in school nursing activities.

8 (2) A school nurse shall practice within the scope of practice
9 applicable to the certification of the school nurse.

10 (d)(1) Beginning with the 2021-2022 school year, at least one (1)
11 licensed registered nurse employed or contracted by each public school
12 district shall annually participate in nursing professional development
13 related to Arkansas school nursing mandates and practices, as determined
14 appropriate by the division.

15 (2) The division, in conjunction with the Department of Health,
16 shall develop and implement an education program for school nurses that is
17 designed to improve the quality and delivery of health services for students.

18 ~~(e)~~(1)(e)(1) Beginning with the 2004-2005 school year, all school
19 districts shall have no fewer than the full-time equivalent of one (1) school
20 nurse per seven hundred fifty (750) students or the proportionate ratio
21 thereof, or, if feasible, one (1) school nurse on each public school campus.

22 (2) In districts having a high concentration of children with
23 disabling conditions as determined by the State Board of Education, the ratio
24 of school nurses to students should be one (1) to four hundred (400) in those
25 schools so designated.

26 (3) In a district that provides a center for profoundly disabled
27 students, the ratio should be one (1) school nurse per one hundred twenty-
28 five (125) students at that center.

29 ~~(d)~~(1)(f)(1) School nurses may be employed or provided by contract or
30 agreement with other agencies or individuals provided that the prescribed
31 ratio and equivalency are maintained.

32 (2) However, no school nurse may be employed by, or contract
33 with, any public secondary or elementary school of this state except with the
34 prior approval of the local school district board of directors.

35 ~~(e)~~(1)(g)(1) The provisions of this section shall be effective only
36 upon the availability of state funds.

1 (2) Available funds shall be distributed to school districts
2 based on the previous year's three-quarter average daily membership.

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4 SECTION 2. Arkansas Code § 6-18-709 is amended to read as follows:
5 6-18-709. Annual reports of school nurse statistics required.

6 (a)(1) Annually, a public school district shall participate in the
7 Division of Elementary and Secondary Education health services survey related
8 to:

9 (A) On-campus healthcare needs of public school students;

10 (B) On-campus healthcare services; and

11 (C) The availability of health care to other public school
12 district personnel and nursing facilities.

13 (2) Each public school district shall report the information
14 reported in the health services survey to the local school district board of
15 directors.

16 (b) Annually, by August 31, a school district shall report the
17 following to the ~~Division of Elementary and Secondary Education~~ division:

18 (1) The number of full-time nurses employed by the school
19 district;

20 (2) The number of part-time nurses employed by the school
21 district;

22 (3) The number of full-time nurses with whom the school district
23 contracts for service;

24 (4) The number of part-time nurses with whom the school district
25 contracts for service;

26 (5) The level of licensure of each nurse working in the school
27 district;

28 (6) The highest degree obtained for each nurse working in the
29 school district;

30 (7) The amount of pay, including without limitation the source
31 of funding, for each nurse working in the school district; and

32 (8) The number of students in the school district that are in
33 each nursing acuity level as follows:

34 (A) Level 1 for students with occasional health concerns
35 and routine health screenings at a ratio of one (1) school nurse per seven
36 hundred fifty (750) students;

1 (B) Level 2 for students with healthcare concerns and
2 those that require an individualized healthcare plan at a ratio of one (1)
3 school nurse per four hundred (400) students;

4 (C) Level 3 for students with medically complex conditions
5 at a ratio of one (1) school nurse per two hundred twenty-five (225)
6 students;

7 (D) Level 4 for students with medically fragile conditions
8 at a ratio of one (1) school nurse per one hundred twenty-five (125)
9 students; and

10 (E) Level 5 for students that are nursing dependent at a
11 ratio of one (1) school nurse per one (1) student.

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13 /s/J. Mayberry
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